

Notice of Allowability

Application No.

10/786,039

Examiner

MICHAEL VU

Applicant(s)

MOUSSEAU, GARY P.

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/18/2007.
2. ☒ The allowed claim(s) is/are 1-6,9-14,19,22,23 and 25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 4/24/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Attorney of record Andrew T. Currier on February 11, 2008.
3. Claim 21 has been cancelled.

In claim 1, delete "an electronic device for receiving live communications comprising: a microcomputer configured to execute an application for scheduling a calendar event; said calendar event having a notification profile associated therewith; said microcomputer further configured to process said notification profile to determine whether to accept a live communication during said scheduled calendar event; said microcomputer further arranged to execute a separate notification profile settings application to enable a user to associate with said calendar event a notification criterion; said notification criterion including a string of text that is established by a user; said notification criterion indicative of said notification profile associated with said calendar

event; said notification profile being defined within said separate notification profile settings application; such that said notification profile is selected by said microcomputer based on said string of text appearing in said calendar event".

insert - - an electronic device for receiving live communications comprising: a microcomputer configured to execute an application for scheduling a calendar event; said calendar event having a notification profile associated therewith; said microcomputer further configured to process said notification profile to determine whether to accept a live communication during said scheduled calendar event; said microcomputer further arranged to execute a separate notification profile settings application to enable a user to associate with said calendar event a notification criterion; said notification criterion including a string of text that is established by a user; said notification criterion indicative of said notification profile associated with said calendar event; said notification profile being defined within said separate notification profile settings application; such that said notification profile is selected by said microcomputer based on said string of text appearing in said calendar event, including the steps of: determining in a messaging application a time of receipt of said live communication; determining in a calendar application whether said time of receipt is during the scheduled calendar event; if said time of receipt is during said calendar event, then examining said calendar event for the criterion indicative of the notification profile for indicating how said communication is to be routed, and instructing said messaging application to route said communication to a message service if said calendar event notification profile designates routing to said message service or instructing said

messaging application to accept said communication as a live communication if said calendar event so designates - - .

In claim 5, delete “an electronic device for receiving live communications comprising: a microcomputer configured to execute an application for scheduling a calendar event; said calendar event having a notification profile associated therewith; said microcomputer further configured to processing said notification profile to determine whether to accept a live communication during said scheduled calendar event; said microcomputer further arranged to execute a separate notification profile settings application to enable a user to associate with said calendar event a notification criterion; said notification criterion indicative of said notification profile associated with said calendar event; said notification profile being defined within said separate notification profile settings application; wherein if said live communication is not accepted during said scheduled calendar event then said communication is directed to a message application; wherein said microcomputer is operable to execute said voicemail application and said electronic device includes a storage device for storing said communication when said communication is directed to said voicemail application”.

insert - - an electronic device for receiving live communications comprising: a microcomputer configured to execute an application for scheduling a calendar event; said calendar event having a notification profile associated therewith; said microcomputer further configured to processing said notification profile to determine whether to accept a live communication during said scheduled calendar event; said

microcomputer further arranged to execute a separate notification profile settings application to enable a user to associate with said calendar event a notification criterion; said notification criterion indicative of said notification profile associated with said calendar event; said notification profile being defined within said separate notification profile settings application; wherein if said live communication is not accepted during said scheduled calendar event then said communication is directed to a message application; wherein said microcomputer is operable to execute said voicemail application and said electronic device includes a storage device for storing said communication when said communication is directed to said voicemail application, including the steps of: determining in a messaging application a time of receipt of said live communication; determining in a calendar application whether said time of receipt is during the scheduled calendar event; if said time of receipt is during said calendar event, then examining said calendar event for the criterion indicative of the notification profile for indicating how said communication is to be routed, and instructing said messaging application to route said communication to a message service if said calendar event notification profile designates routing to said message service or instructing said messaging application to accept said communication as a live communication if said calendar event so designates - - .

In claim 10, delete "a method for modifying behavior of an electronic device for receiving live communications comprising the steps of: executing an application in said device to schedule a calendar event; associating a notification profile with said

scheduled calendar event; upon receipt of a live communication, processing the notification profile to determine whether to accept said live communication during said scheduled calendar event; executing a separate notification profile settings application in said device so as to associate a notification criterion with said scheduled calendar event, said notification criterion being indicative of said notification profile associated with said scheduled calendar event, said notification criterion including a string of text that is established by a user; said notification profile being defined within the separate notification profile settings application; wherein said notification profile is selected based on said string of text appearing in said calendar event”.

insert - - a method for modifying behavior of an electronic device for receiving live communications comprising the steps of: executing an application in said device to schedule a calendar event; associating a notification profile with said scheduled calendar event; upon receipt of a live communication, processing the notification profile to determine whether to accept said live communication during said scheduled calendar event; executing a separate notification profile settings application in said device so as to associate a notification criterion with said scheduled calendar event, said notification criterion being indicative of said notification profile associated with said scheduled calendar event, said notification criterion including a string of text that is established by a user; said notification profile being defined within the separate notification profile settings application; wherein said notification profile is selected based on said string of text appearing in said calendar event, including the steps of: determining in a messaging application a time of receipt of said live communication; determining in a

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calendar application whether said time of receipt is during the scheduled calendar event; if said time of receipt is during said calendar event, then examining said calendar event for the criterion indicative of the notification profile for indicating how said communication is to be routed, and instructing said messaging application to route said communication to a message service if said calendar event notification profile designates routing to said message service or instructing said messaging application to accept said communication as a live communication if said calendar event so designates - - .

In claim 25, delete “a computer readable medium containing a plurality of programming instructions for an electronic device for receiving live communications; said programming instructions implementing a method for modifying behavior of said electronic device for receiving live communications, said method comprising the steps of: executing an application in said device to schedule a calendar event; associating a notification profile with said scheduled calendar event; upon receipt of a live communication, processing the notification profile to determine whether to accept said live communication during said scheduled calendar event; executing a separate notification profile settings application in said device so as to associate a notification criterion with said scheduled calendar event, said notification criterion being indicative of said notification profile associated with said scheduled calendar event, said notification criterion including a string of text that is established by a user; said notification profile being defined within the separate notification profile settings application; wherein said

notification profile is selected based on said string of text appearing in said calendar event”.

insert - - a computer readable medium containing a plurality of programming instructions for an electronic device for receiving live communications; said programming instructions implementing a method for modifying behavior of said electronic device for receiving live communications, said method comprising the steps of: executing an application in said device to schedule a calendar event; associating a notification profile with said scheduled calendar event; upon receipt of a live communication, processing the notification profile to determine whether to accept said live communication during said scheduled calendar event; executing a separate notification profile settings application in said device so as to associate a notification criterion with said scheduled calendar event, said notification criterion being indicative of said notification profile associated with said scheduled calendar event, said notification criterion including a string of text that is established by a user; said notification profile being defined within the separate notification profile settings application; wherein said notification profile is selected based on said string of text appearing in said calendar event, including the steps of: determining in a messaging application a time of receipt of said live communication; determining in a calendar application whether said time of receipt is during the scheduled calendar event; if said time of receipt is during said calendar event, then examining said calendar event for the criterion indicative of the notification profile for indicating how said communication is to be routed, and instructing said messaging application to route said communication to a message service if said

calendar event notification profile designates routing to said message service or instructing said messaging application to accept said communication as a live communication if said calendar event so designates - - .

Allowable Subject Matter

4. **Claims 1-6, 9-14, 19, 22-23, and 25** are allowed.
5. The following is an examiner's statement of reasons for allowance:

Claims 1, 5, 10, and 25, are allowed in view of Applicant's arguments on Pre-Appeal Brief filed on May 18, 2007.

Claims 1, 5, 10, and 25, are allowed because the closest prior art, Kashima (US 2005/0136903), and Harris (US 2005/0009547) fail to anticipate or render obvious as stated in the Applicant's Remarks on pages 1-4, in combination with all other limitations in the claims as defined by applicant.

Dependent claims 2-4, 6, 9, 11-14, 19, and 22-23 are allowable for the same reason as set forth above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael T. Vu whose telephone number is (571) 272-8131. The examiner can normally be reached on 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael T. Vu
Examiner



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER